

REMARKS:

This paper is herewith filed in response to the Examiner's Office Action mailed on February 27, 2009 for the above-captioned U.S. Patent Application. This office action is a rejection of claims 1-4 and 9-11 of the application.

More specifically, the Examiner has rejected claims 4, and 9-10 under 35 USC 101 as not falling within one of four statutory categories of invention; objected to claim 11 as being of improper dependent form for failing to further limit the subject matter of the previous claim; and rejected claims 1, 3-4, and 9-11 under 35 USC 103(a) as being unpatentable over Zhang (US 7,116,819) in combination with Juenger (US 5,778,106). The Applicants respectfully traverse the rejections.

Claims 1-4 and 10-11 have been amended for clarification. Support for the amendments may be found at least in paragraphs [0048]-[0054] and [0095] of the published application. No new matter is added.

Regarding the rejection of claims 4 and 9-10 under 35 USC 101, the Applicants submit that claim 4 has been amended to recite in part "with a retinal module." This amendment is supported at least in paragraph [0049] of the published application. Therefore, the rejection of claim 4 under 35 USC 101 is seen to be overcome. Further, for at least the reason of their dependency to claim 4 the rejection of claims 9 and 10 under 35 USC 101 is seen to be overcome. The Examiner is respectfully requested to remove the rejections.

Regarding the objection to claim 11, the Applicants submit that amended claim 11 is seen to overcome the objection and the objection should be removed.

Claim 1 has been amended to recite:

An information terminal, including: data operation processing means for performing operation processing for input image data and preparing output image data, comprising: removal means, for performing an intermittent process for input image data resulting from an interpolation process, and removing, from the output

image data, part or all of the steps of an interpolation process; and data processing means, for performing another interpolation process that is more complicated than the removed interpolation process for data obtained by the removal means and for preparing output image data.

The Applicants note that according to an exemplary embodiment of the invention a second interpolation processing is performed on the output signal from the first interpolation means after a part or all of the first interpolation processing has been removed.

Regarding the rejection of claim 1, the Applicants note that in the rejection of claim 1 the Examiner cites Zhang and Juenger as suggesting claim 1. The Applicants disagree. The Applicants submit that, although the proposed combination is not agreed to as proper, neither Zhang nor Juenger, alone or combined, can be seen to disclose or suggest claim 1.

Zhang discloses an image processing apparatus comprising a first interpolation means (first RGB interpolation section 4) and a second interpolation means (second RGB interpolation section 12). In Zhang an output is thereby obtained by adding the outputs of the first and the second interpolation means (col. 2, lines 30-42). The Applicants submit that although Zhang may perform interpolation processing twice, Zhang clearly can not be seen to perform the second interpolation processing on the output signal from the first interpolation means after part or all of the first interpolation processing has been removed.

In addition, it is noted that Juenger discloses a method and apparatus for processing an image captured by an image acquisition device having a two-dimensional matrix of non-square pixels with a first aspect ratio. The Applicants submit that although Juenger may perform interpolation processing twice, Juenger does not perform the second interpolation processing on the output signal from the first interpolation means after part or all of the first interpolation processing has been removed.

The Applicants contend that, for at least the reasons already stated, neither Zhang nor Juenger can be seen to disclose or suggest at least where claim 1 recites in part:

performing an intermittent process for input image data resulting from an interpolation process, and removing, from the output image data, part or all of the steps of an interpolation process; and data processing means, for performing another interpolation process that is more complicated than the removed interpolation process for data obtained by the removal means and for preparing output image data

The Applicants submit that, for at least these reasons, the references cited can not be seen to disclose or suggest claim 1 and the rejection of claim 1 should be removed.

Further, the Applicants submit that, for at least the reasons stated, the references cited can not be seen to disclose or suggest at least where independent claim 4 recites in part:

performing an interpolation process for the image data thus obtained, and a step of outputting the image data resulting from the interpolation process, comprising the steps of: removing, with a retrial module, the interpolation process from the image data resulting from the interpolation process by performing an intermittent process; and performing another interpolation process that is more complicated than the removed interpolation process for data obtained after the interpolation process has been removed

Thus, the rejection of claim 4 is seen to be improper and the rejection should be removed.

In addition, for at least the reason that claims 2-3 and 9-11 depend from claims 1 and 4, respectively, the references cited can not be seen to disclose or suggest these claims.

Based on the above explanations and arguments, it is clear that the references cited cannot be seen to disclose or suggest claims 1-4 and 9-11. The Examiner is respectfully requested to reconsider and remove the rejections of claims 1-4 and 9-11 and to allow all of the pending claims 1-4 and 9-11 as now presented for examination.

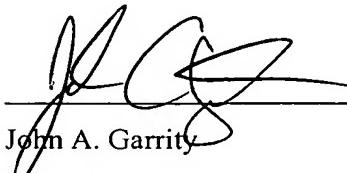
For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Should any



S.N.: 10/519,857
Art Unit: 2624

unresolved issue remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted:



John A. Garrity

5/27/2009

Date

Reg. No.: 60,470
Customer No.: 29683
HARRINGTON & SMITH, PC
4 Research Drive
Shelton, CT 06484-6212
Telephone: (203)925-9400
Facsimile: (203)944-0245
email: jgarrity@hspatent.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

5/27/2009
Date

Elaine F. Moran
Name of Person Making Deposit